

Docket No.: RIC 96 161

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Randy HABERMAN, et al.

Serial No.: 09/002,187

Filed: December 31, 1997

For: SYSTEM AND METHOD FOR ESTABLISHING A VIRTUAL CIRCUIT IN AN ATM NETWORK

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:
:
:
: Group Art Unit: 2152
:
: Examiner: T. Vu
:

PETITION TO WITHDRAW
HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(a)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Applicant hereby respectfully petitions for withdrawal of the holding of abandonment in the above-mentioned application.

In response to the Notice of Allowance issued December 18, 2000, an Issue Fee payment was timely filed with a certificate of mailing on Monday, March 19, 2001. The postcard evidence provided herewith shows that the issue fee was, in fact, paid by Applicant and received by the U.S. Patent and Trademark Office. See attachment I.

Even though Applicants have properly paid the Issue Fee (See attachment II), a Notice of Abandonment has been received (dated April 26, 2001). Applicant respectfully submits that, in view of the postcard evidence provided herewith, the issue fee was, in fact, filed by Applicant and received by the U.S. Patent and Trademark Office. Applicant therefore submits that the proper payment of the Issue Fee should allow the application to issue as a patent. It is respectfully requested that the abandonment of the application be withdrawn and that the application be forwarded to issue branch in preparation for issuance.

CONCLUSION

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 13-2491 and please credit any excess fees to such deposit account.

Respectfully submitted,
WorldCom, Inc.



Brian C. Oakes
Registration No. 41,467

Technology Law Department
1133 19th Street, NW
Washington, DC 20036
(202) 736-6371
Date: May 10, 2001
Facsimile: (202) 736-6382

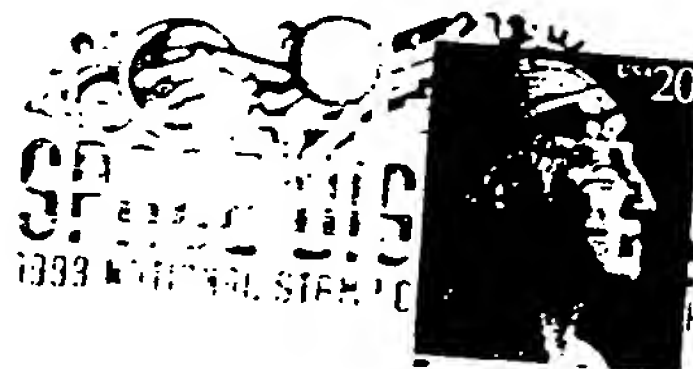
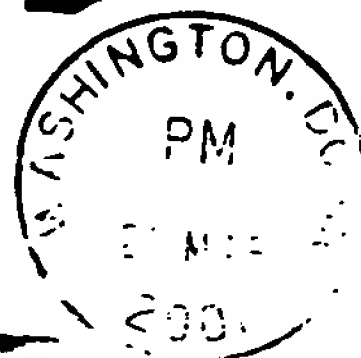
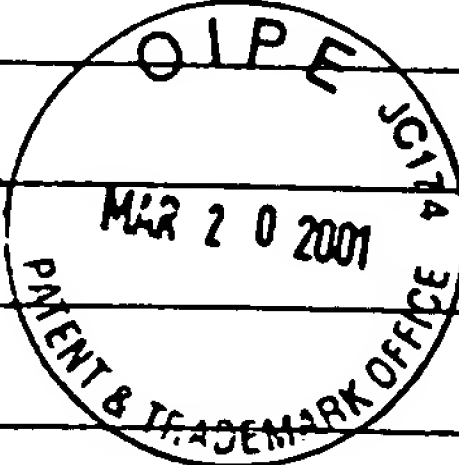
Serial No.: 09/002,187

ATTACHMENT I
(Stamped Postcard indicating reception of Issue Fee Payment at USPTO)

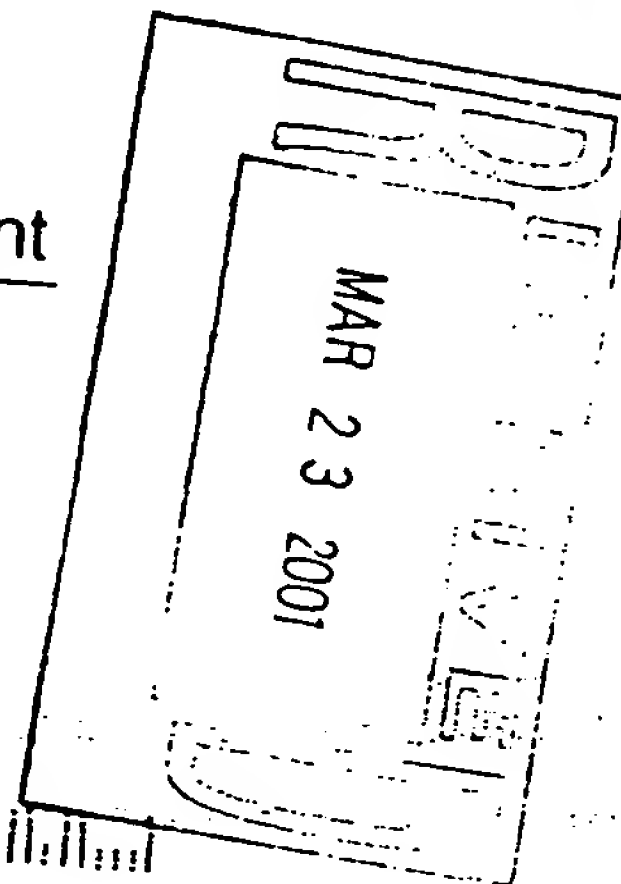
(INSTRUCTIONS TO DOCKET CLERK

THE FOLLOWING PAPERS HAVE BEEN FILED:

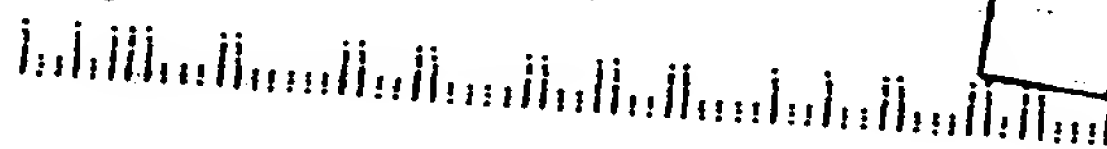
| | | | |
|-------------------------|---|----------------|-----------|
| DESCRIPTION OF PAPER | Issue Fee Payment Transmittal; Submission of Formal Drawings Letter; (5) Sheets of (5) Figures of Formal Drawings; Transmittal Form; Certificate of Mailing; Return Postcard | | |
| APPLICANT | Randy Raberman et al | | |
| SERIAL NO. | 09/002,187 | | |
| ATTORNEY DOCKET NO. | RIC 96 161 | | |
| TITLE | System and Method for Establishing a Virtual | | |
| SENDERS INITIALS | ANT | DATE MAILED | 3/19/2001 |



WORLDCOM, INC.
Attn: Technology Law Department
Dept.: 9854/003
1133 19th Street, N. W.
Washington, D.C. 20036



20036/3604



Serial No.: 09/002,187

ATTACHMENT II

(Copy of Issue Fee Payment and Formal Drawings filed on March 19, 2001)

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | | |
|--|----------------------|------------------------|------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 09/002,187 | |
| | Filing Date | December 31, 1997 | |
| | First Named Inventor | Randy Haberman et al | |
| | Group Art Unit | 2152 | |
| | Examiner Name | Thong Vu | |
| Total Number of Pages in This Submission | 10 | Attorney Docket Number | RIC 96 161 |

| ENCLOSURES (check all that apply) | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input checked="" type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | Issue Fee Transmittal |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Small Entity Statement | Submission of Formal |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Request for Refund | Drawing Letter |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | Return Postcard |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | Paul A. Roberts Reg. No. 40,289 WorldCom, Inc. |
| Signature | <i>Paul A. Roberts</i> |
| Date | 3/19/01 |

| CERTIFICATE OF MAILING | | | |
|---|--------------------------|------|-----------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: March 19, 2001 | | | |
| Typed or printed name | Angela N. Trafton | | |
| Signature | <i>Angela N. Trafton</i> | Date | 3/19/2001 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Art Unit: 2152

HABERMAN et al

Serial No. 09/002,187

Examiner: T. Vu

Filed: 12/31/1997

Attorney Docket: RIC96 161

For: System and Method for Establishing a Virtual Circuit in a ATM Network

Submission of Formal Drawings

BOX ISSUE FEE

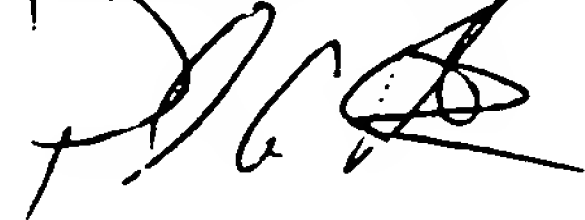
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith are 5 sheet(s) of 5 figure(s) of formal drawings to be substituted for the corresponding drawing sheets presently on file in the above-identified application.

The Commissioner is hereby authorized to charge payment of extension or petition fees under 37 CFR 1.17 for any additional filing fees required under 37 CFR 1.16, and any patent processing fees under 37 CFR 1.16, and any fees associated with the recordation of the Assignment during the pendency of this application or credit any overpayment to our Deposit Account 13-2491.

Respectfully submitted,



Paul A. Roberts
Reg. No. 40,289

March 19, 2001

WorldCom, Inc.
Technology Law Department
1133 19th Street, NW
Washington, DC 20036
Tel: (202) 736-6604
Fax: (202) 736-6382

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Art Unit: 2152

HABERMAN et al

Serial No. 09/002,187

Examiner: T. Vu

Filed: 12/31/1997

Attorney Docket: RIC96 161

For: System and Method for Establishing a Virtual Circuit in a ATM Network

Submission of Formal Drawings

BOX ISSUE FEE

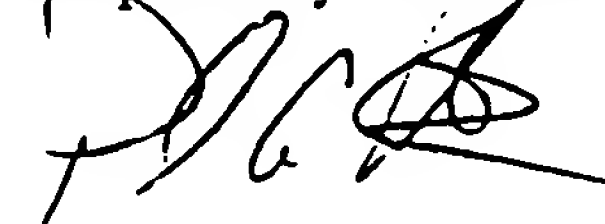
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

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The Commissioner is hereby authorized to charge payment of extension or petition fees under 37 CFR 1.17 for any additional filing fees required under 37 CFR 1.16, and any patent processing fees under 37 CFR 1.16, and any fees associated with the recordation of the Assignment during the pendency of this application or credit any overpayment to our Deposit Account 13-2491.

Respectfully submitted,



Paul A. Roberts
Reg. No. 40,289

March 19, 2001

WorldCom, Inc.
Technology Law Department
1133 19th Street, NW
Washington, DC 20036
Tel: (202) 736-6604
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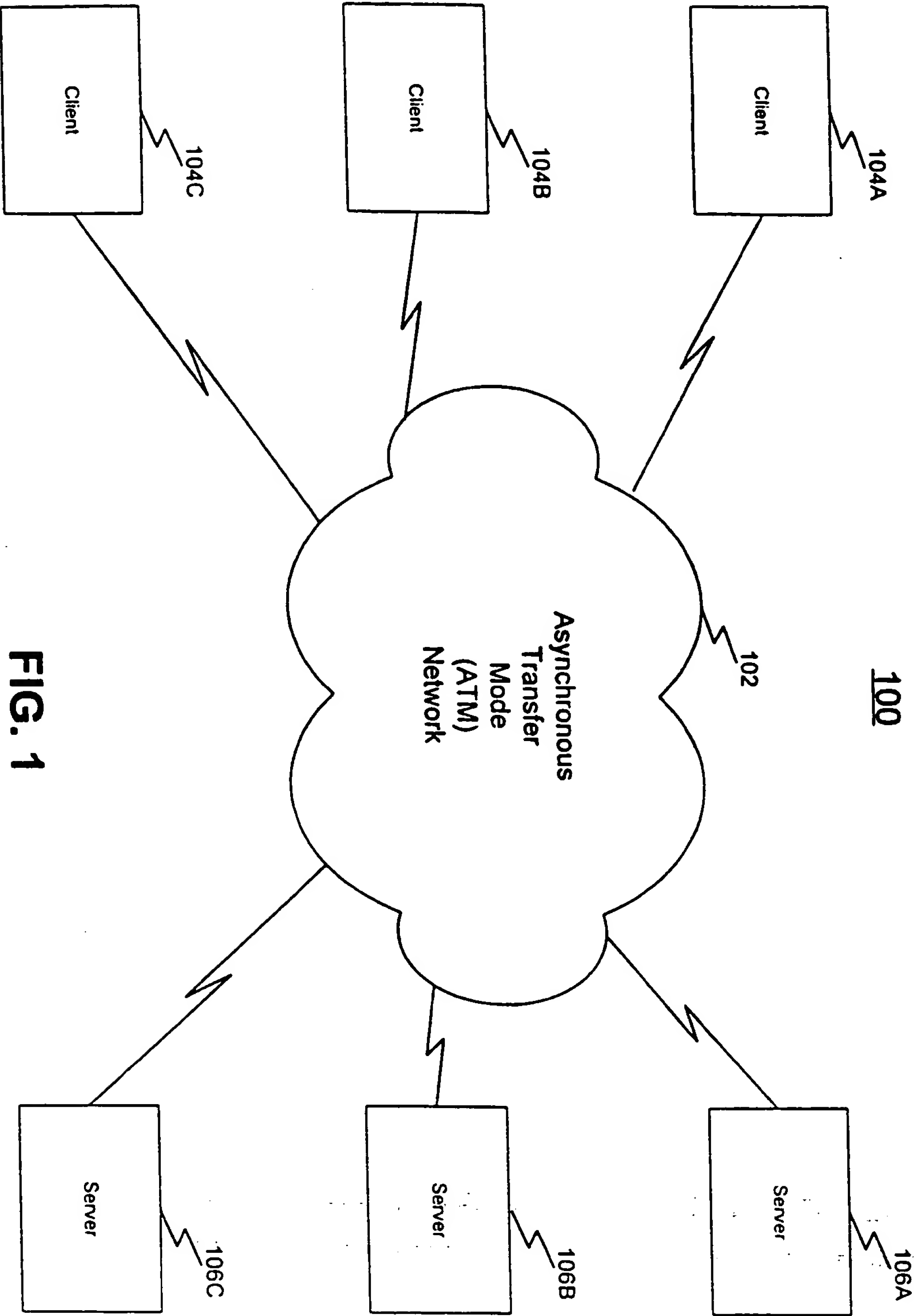


FIG. 1

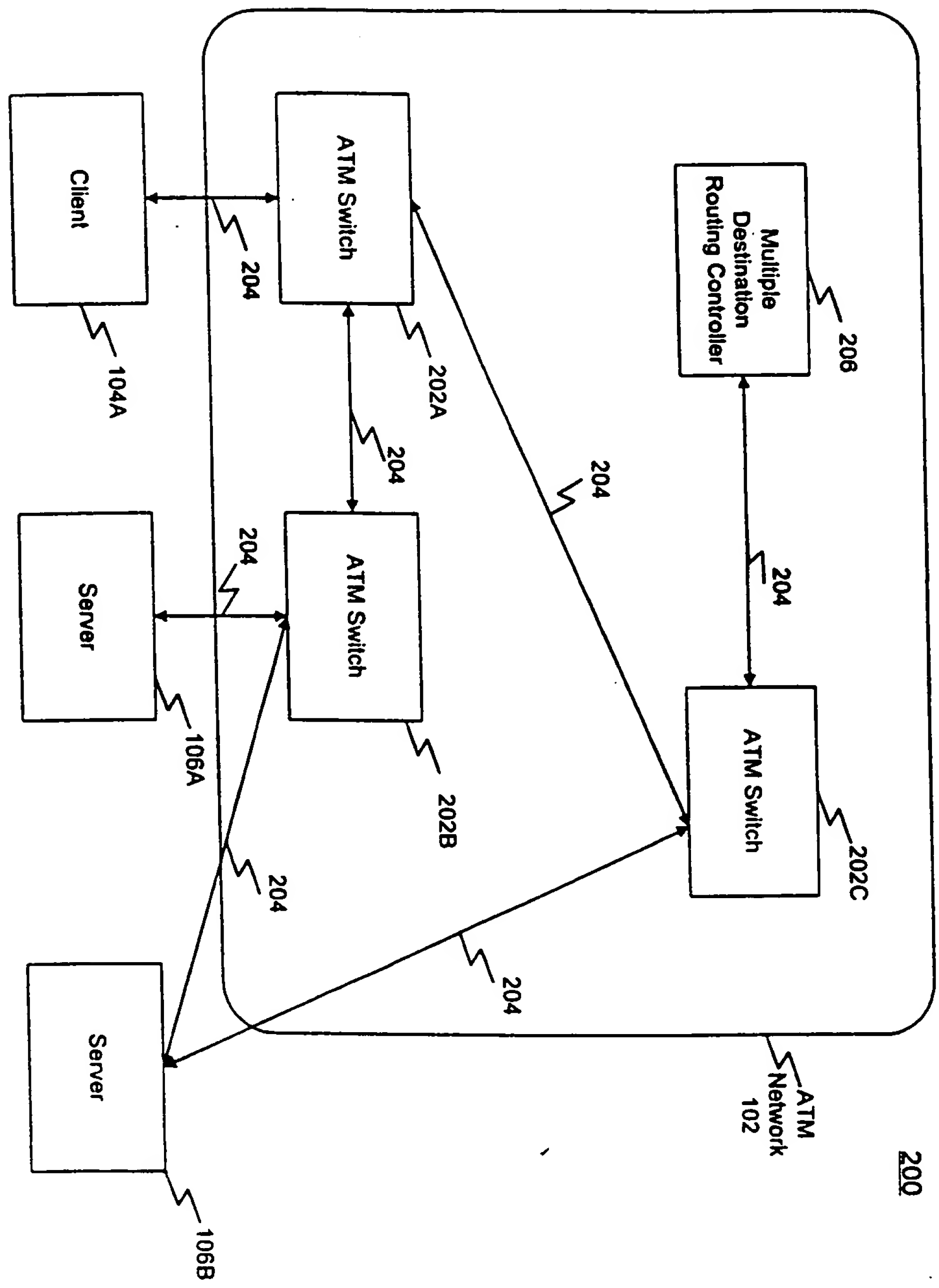


FIG. 2

FIGURE 2

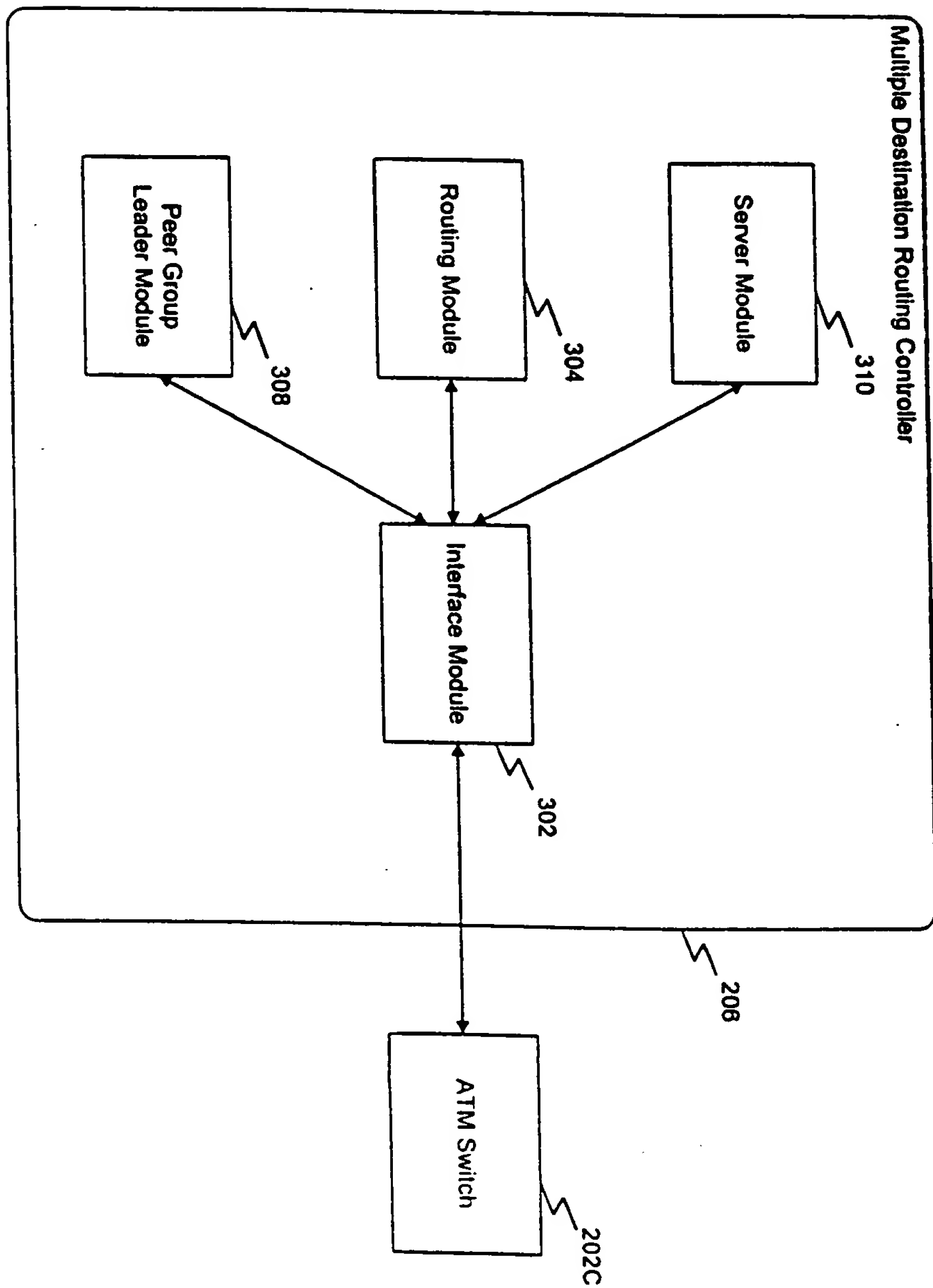


FIG. 3

400

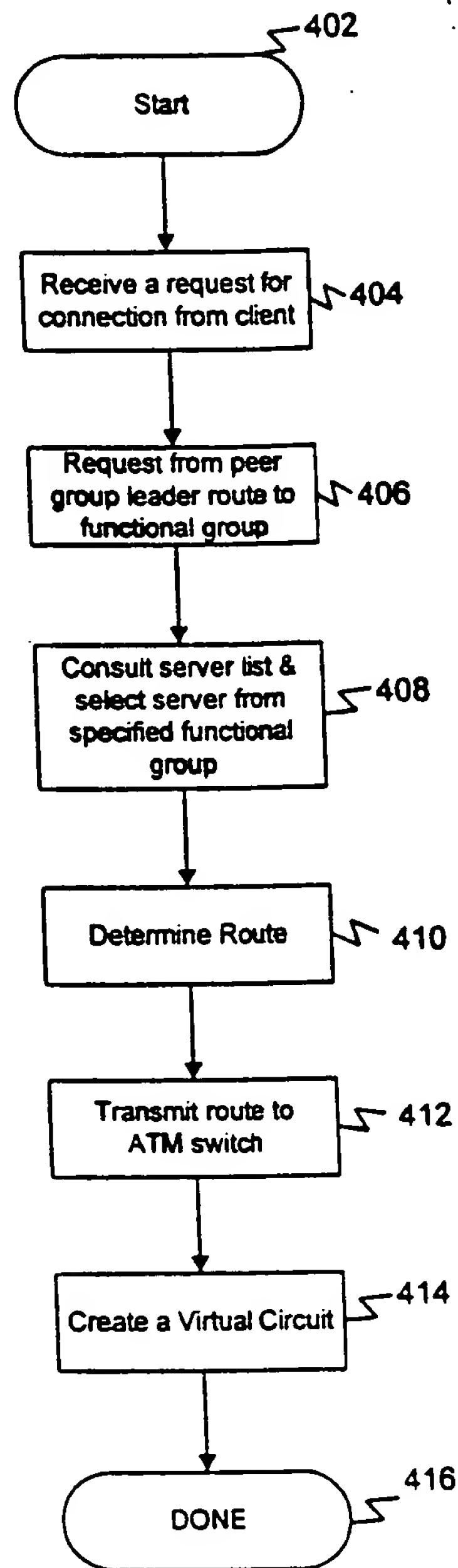


FIG. 4

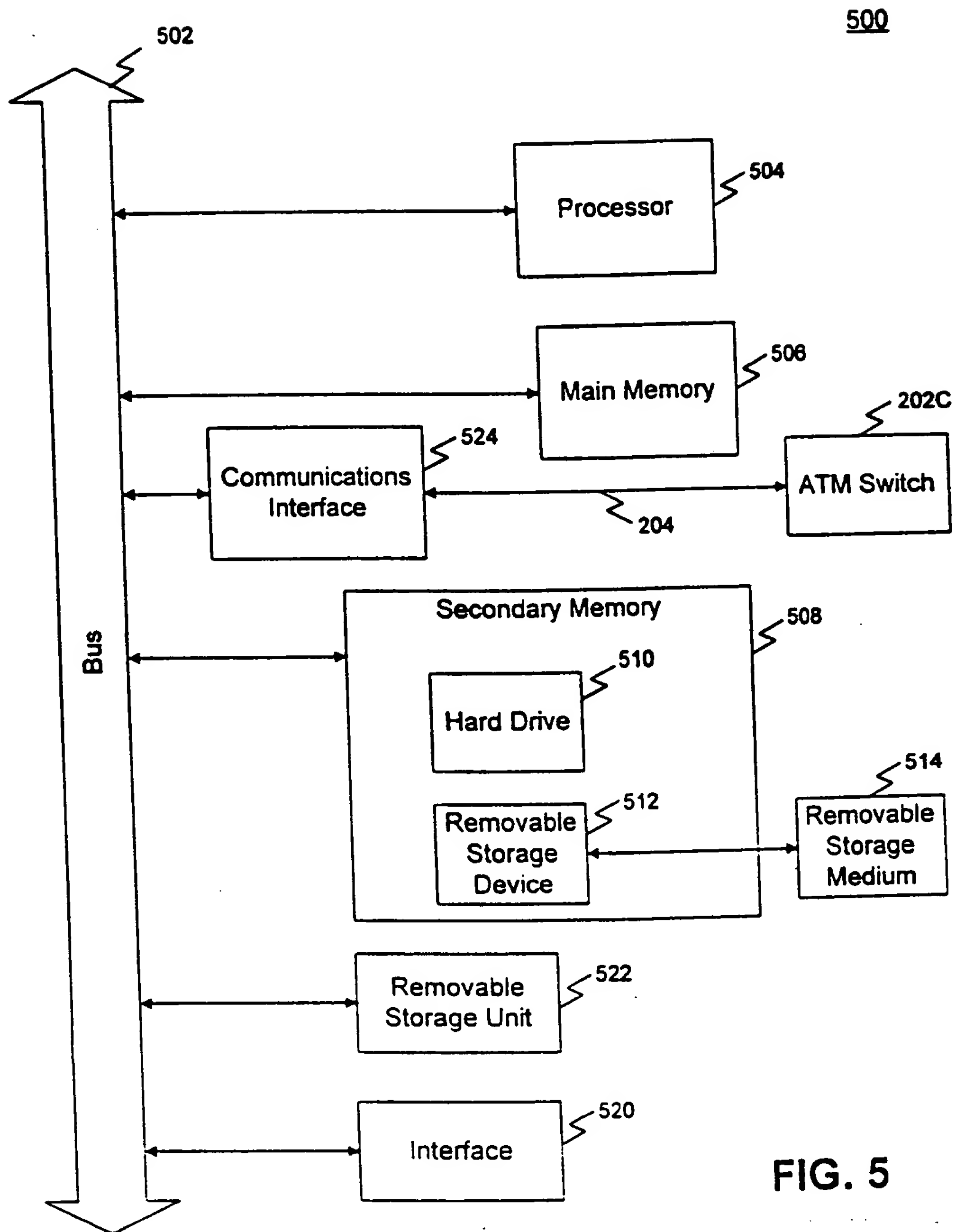


FIG. 5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Haberman et al.

Serial No.: 09/002,187

Art Unit: 2152

Filed: December 21, 1997

Examiner: T. Vu

Title: System and Method for Establishing a Virtual Circuit in an ATM Network

STATUS INQUIRY

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450


Sir:

Please advise us in writing as to the status of the above-noted application. Applicants filed a Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a) on May 10, 2001, and have not yet received a decision on the Petition. Applicants received a telephone call from Jim Alexander (P/OPPD; (703)305-8387) indicating that the official USPTO file was lost. Applicants believe that this may be hindering the decision on the Petition, so Applicants have included a copy of Applicants' file history.

Should anything further be required, Applicants request that the undersigned be contacted at the telephone number indicated below.

Respectfully submitted,

Date: September 25, 2003


Eden U.I. Stright
Registration No. 51,205

WorldCom, Inc.
1133 19th Street, NW
Washington, DC 20036
Phone: 202 736-6008
Fax: 202-736-6382

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 2027366382

Fax Information

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1 (including cover page)

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Received
Cover
Page
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FROM WorldCom Technology Inc Washington DC (THU) 3/25/04 8:48/ST 8:48/ST 4251175334 1 1

Docket No.: RIC96161

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Haberman et al.

Serial No.: 09/002,187

Filed: December 21, 1997

Art Unit: 2152

Examiner: T. Vu

Title: System and Method for Establishing a Virtual Circuit in an ATM Network

SECOND STATUS INQUIRY

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMISSION CERTIFICATE UNDER 37 C.F.R. §1.6(a)
I hereby certify that the correspondence cited herein is being sent via facsimile
to the USPTO Controlled Facsimile Number (703) 472-9306 on
3/25/04
Changyue Wang
Changyue Wang

Sir:

This is Applicants second request for the status of the Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a). Please advise us in writing as to the status of the above-noted application.

Applicants filed a Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a) on May 10, 2001, and have not yet received a decision on the Petition. Applicants received a telephone call from Jim Alexander (P/OPD; (703)305-8387) indicating that the official USPTO file was lost. Applicants believe that this may be hindering the decision on the Petition, so Applicants filed a copy of Applicants' file history on September 26, 2003. However, Applicants still have not yet received any type of action in this case.

Should anything further be required, Applicants request that the undersigned be contacted at the telephone number indicated below

Respectfully submitted,

Date: March 24, 2004

Eden U. Stright
Registration No. 51,205

WorldCom, Inc.
1133 19th Street, NW
Washington, DC 20036
Phone: 202 736-6008
Fax: 202-736-6382